

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 5, 1977

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, October 5, 1977 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Ehrhardt, Hughes,
Katzakian, Pinkerton and
Katnich (Mayor)

Absent: Councilmen - None

Also Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Mullen, and City Clerk Reimche.

INVOCATION

The invocation was given by Reverend Raymond Knapp, St. John's Episcopal Church.

PLEDGE

Mayor Katnich led the Pledge of Allegiance to the flag.

PUBLIC HEARINGS

POSSIBLE STREET
CLOSURES S. P. R. R.
AT LOCUST, OAK &
WALNUT

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the public hearing to consider the possible street closures at Southern Pacific Railroad crossings on Walnut, Oak and Locust Streets.

The following persons were present and spoke opposing the street closures:

- a) Mr. Herbert Lehr, 1250 Edgewood Drive, Lodi
- b) Mr. Willard J. Robinson, 174 San Marcos, Casa de Lodi Mobilehome Park, Lodi

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Mr. W. R. Wilkinson, Assistant Division Engineer for the Southern Pacific Transportation Company was in the audience and answered questions regarding grade crossing protection devices, the possibility of transferring the S. P. switching operation to an area south of town, etc. as were directed by Council.

Following lengthy discussion, with questions being directed to Staff, the City Attorney, and to Mr. W. R. Wilkinson, Council, on motion of Councilman

PUBLIC HEARINGS(Cont)
POSSIBLE STREET
CLOSURES SPRR
(Continued)

Minutes of October 5, 1977, continued

Katzakian, Ehrhardt second, voted by unanimous vote to have Locust, Oak and Walnut Streets remain open at their crossings of the Southern Pacific right-of-way with the following findings:

1. Future traffic volumes on Lockeford, Pine and Lodi with the proposed closures will exceed the design capacity of these streets, based on a C Level of service and Elm Street will reach approximately 90% of design capacity. All but the Elm Street crossing will have traffic conditions which will be unacceptable to the majority of the motorists using them.
2. Oak Street should remain open in order to retain long-range traffic planning and engineer options (i.e. Pine and Oak as future one-way couplets).
3. Due to the major switching operation in the downtown area Walnut, Oak and Locust Streets should remain open to offer alternate crossings of the S. P. R. R. tracks.
4. If crossings are closed the present backups and delays will become even longer at those crossings which remain open.

PARCEL AT 1720 S.
HUTCHINS REZONED
FROM R-1 TO R-MD

ORD. NO. 1122
INTRO.

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the public hearing to consider the City Planning Commission's recommendation for approval of the request of Blatt Development on behalf of Mr. and Mrs. Marvin Wendt to rezone the parcel at 1720 South Hutchins Street from R-1, Single-Family Residential to R-MD, Medium Density Multiple Family Residential.

The matter was introduced by Community Development Director Schroeder who presented a diagram of the subject area.

The following persons were present and spoke in favor of the proposed rezoning:

a) Mr. Michael T. Blatt, c/o Blatt Development Company, P. O. Box 7620, Stockton, California.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed by Mayor Katnich.

Following Council discussion, with questions being directed to Staff, Councilman Katzakian moved introduction of Ordinance No. 1122 rezoning the parcel at 1720 South Hutchins Street from R-1, Single-Family Residential to R-MD, Medium Density Multiple Family Residential. The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

PUBLIC HEARINGS(Contd)

Minutes of October 5, 1977, continued

13.01 ACRE PARCEL
AT 1531 SOUTH CHURCH
STREET REZONED FROM
R-1 TO R-MD

ORD. NO. 1123
INTRO.

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the public hearing to consider the City Planning Commission's recommendation for approval of the request of Matthews Development Company on behalf of Mrs. Elizabeth Barbera to rezone the 13.01 acre parcel at 1531 South Church Street from R-1, Single-Family Residential to R-MD, Medium Density Multiple Family Residential.

The matter was introduced by Community Development Director Schroeder who presented a diagram of the subject area for Council's scrutiny.

Mr. Pat Matthews, c/o Matthews Development Company, 650 South Central, Stockton, California addressed the Council speaking in favor of the proposed rezoning. Mr. Matthews stated that the proposed rezoning conforms with the General Plan and that similar zoning exists between South Church Street and South Hutchins Street.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed by Mayor Katnich.

Councilman Ehrhardt then moved for introduction of Ordinance No. 1123 rezoning the 13.01 acre parcel located at 1531 South Church Street from R-1, Single-Family Residential to R-MD, Medium Density Multiple Family Residential. The motion was seconded by Councilman Katzakian and carried by unanimous vote.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of October 3, 1977:

The Planning Commission:

REQUEST TO REZONE
PROPOSAL OF LODI
SOUTH SUBDIVISION

Recommended approval of the request of Mr. Terry Piazza, c/o Baumbach and Piazza, Consulting Engineers, on behalf of R & W Construction and Development Company to rezone the proposal of Lodi South Subdivision on the east side of South Church Street, north and south of the easterly extension of Lambert Court from R-1, Single-Family Residential to R-2, Single-Family Residential and R-GA, Garden Apartment Residential.

The Planning Commission had previously denied the rezoning of the same area to R-LD, Low Density Multiple Family Residential and R-MD, Medium Density Multiple Family Residential.

On motion of Councilman Katzakian, Ehrhardt second, the matter was set for Public Hearing on October 19, 1977.

PLANNING COMMISSION
(Continued)

Minutes of October 5, 1977, continued

ITEMS OF INTEREST

The Planning Commission also -

1. Recommended approval of the 1977-78 Capital Improvement Program with the condition that the monies from the Library Construction Fund be shown in conjunction with the Local Public Works Grant.
2. Instructed the Public Works Director to prepare an Amended Specific Plan for Beckman Road between Victor Road and East Kettleman Lane using the following criteria: (a) 2 travel lanes; (b) left-turn pockets; (c) no parking; (d) the existing curb on the west side of the street to remain; (e) curb and gutter; and (f) no sidewalk.
3. Recommended that San Joaquin County approve the request of W and C Reynolds, et al. to rezone parcels north and south of Woodbridge Road adjacent to the Southern Pacific Railroad right-of-way from I-PA, Interim Protected Agriculture and GA-20, General Agriculture to GA-40, General Agriculture.
4. Recommended that San Joaquin County approve the request of Mr. Lindsay P. Marshall, Attorney at Law, on behalf of the Woodbridge Golf and Country Club for a Use Permit to add 9 holes to an existing golf course at the terminus of Woodbridge Road, west of Lower Sacramento Road in an area zoned GA-40, General Agriculture.

COMMUNICATIONS

MEETING RE
DEDICATION OF LAND
OR FEES FOR SCHOOL
FACILITIES

City Clerk Reimche presented a letter which had been received from the County of San Joaquin Superintendent of Schools advising of a meeting to be held October 19, 1977 at San Joaquin Delta College to discuss new law authorizing adoption of ordinances requiring dedication of land or fees for school facilities. Mayor Kautsch and Councilman Katzakian indicated they would be attending this meeting.

PUC APPLICATION
FILED BY P.G.&E.

A copy of the Proposed Report of Administrative Law by Judge James F. Haley in Application No. 56845 was presented by the City Clerk. In this application Pacific Gas and Electric Company requests Commission authorization to increase its electric and gas rates to offset the costs of supplementary conservation programs to be undertaken in 1977. The Proposed Report authorizes the conservation programs and the increase in rates.

CLAIMS

The City Clerk presented the following Claims which have been received by the City:

- 1) Sharon Querio, Katherine Renee Querio(Robert James Querio, dec'd) vs. City of Lodi
- 2) Goldie Mahen vs. City of Lodi

COMMUNICATIONS(Contd) Minutes of October 5, 1977, continued
CLAIMS (Contd)

3) Michael Dennis Ashbaugh vs. City of Lodi

4) Eloy Urias vs. City of Lodi

5) Blaine Kennedy vs. City of Lodi

On motion of Councilman Ehrhardt, Pinkerton second, the Claims were rejected by the Council and referred to the City's Contract Administrator.

S. P. TO PAINT
STATION IN LODI

Council was apprised of a letter which had been received from Mr. Henry Ortey, Public Relations Manager of the Southern Pacific Transportation Company advising of plans to paint the S. P. station building in Lodi.

CALTRANS REQUESTS
INTERMEDIATE BUS
STOP IN LODI

City Clerk Reimche presented a letter which had been received from Mr. G. E. Gray, Acting Chief, State of California, Business and Transportation Agency, Division of Mass Transportation requesting an intermediate bus stop in Lodi for a Caltrans-sponsored connecting bus service between the Sacramento and Stockton Amtrak Stations. City Manager Graves advised the Council that he had been in contact with Mr. Albert Charles, Operator of the Greyhound Bus Lines in Lodi and it appears that necessary arrangements can be worked out for the requested bus stop to be located at the Lodi Greyhound Bus Depot, which is situated at 9 W. Locust Street, Lodi.

PROPOSED WOODBRIDGE
IRRIGATION DISTRICT
REORGANIZATION
PUBLIC HEARING

Council was informed that the Local Agency Formation Commission of San Joaquin County will hold a public hearing on the proposed Woodbridge Irrigation District Reorganization No. 77-1, including annexation of 16 parcels of land. This Public Hearing will be held on Friday, October 28, 1977 at 2:00 p.m. in the Chamber of the Board of Supervisors, County Courthouse, Stockton, California.

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Ehrhardt, Katzakian second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,386,578.70.

AWARD-TRACTOR
FRONT-END LOADER

The City Manager presented bids which had been received for a Tractor Front-End Loader for the Public Works Department as follows:

RES. NO. 4397

<u>BIDDER</u>	<u>AMOUNT</u>
Ferdun and Woods	\$14,448.00
Case Power and Equipment	\$15,956.00

CONSENT CALENDAR
(Contd)
AWARD-TRACTOR
FRONT-END LOADER
RES. NO. 4397(Contd)

Minutes of October 1, 1977, continued

RESOLUTION NO. 4397

RESOLUTION AWARDING THE CONTRACT FOR A TRACTOR, FRONT-END LOADER FOR THE PUBLIC WORKS DEPARTMENT TO FERDUN AND WOODS, THE LOW BIDDER, IN THE AMOUNT OF \$13,448.00.

AWARD - WELL 7
REDRILLING

Council was apprised by the City Manager that only one bid had been received for the contract for Well 7 Redrilling as follows:

RES. NO. 4398

BIDDER

AMOUNT

Ben Barrow Co., Inc.	\$57,890.00
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Council was informed that the bid was a reasonable bid and is in line with recent bids for similar wells in nearby communities, and therefore it would be staff's recommendation that the award be made.

RESOLUTION NO. 4398

RESOLUTION AWARDING THE CONTRACT FOR WELL 7 REDRILLING TO BEN BARROW COMPANY, INC., THE ONLY BIDDER, IN THE AMOUNT OF \$57,890.00.

AWARD - LANE LINE
PAINTING

City Manager Graves presented the bids which had been received for lane line painting of City streets as follows:

RES. NO. 4399

BIDDER

AMOUNT

Lane Tech	\$5,779.42
Traffic Limited	\$5,984.58
Safety Striping, Inc.	\$6,179.95
Dimond and Pensotti, Inc.	\$6,717.15

The City Manager recommended that the award be made to Lane Tech, the low bidder, in the amount of \$5,779.42.

RESOLUTION NO. 4399

RESOLUTION AWARDING THE CONTRACT FOR LANE LINE PAINTING OF CITY STREETS TO LANE TECH, THE LOW BIDDER, IN THE AMOUNT OF \$5,779.42.

AGENDA ITEM "e"
DROPPED

AT STAFF'S REQUEST, AGENDA ITEM "e" - "AWARD - DUMP TRUCK FOR PUBLIC WORKS DEPARTMENT" WAS PULLED FROM THE AGENDA.

AGENDA ITEM "f"
CONTINUED

COUNCIL CONTINUED AGENDA ITEM "f" - "AWARD-DUMP TRUCK FOR PARKS AND RECREATION DEPARTMENT" REQUESTING ADDITIONAL INFORMATION ON THE MATTER.

CONSENT CALENDAR
(Contd)
AWARD-SINGLE-PHASE
PADMOUNT TRANS-
FORMERS

RES. NO. 4400

Minutes of October 5, 1977, continued

The City Manager presented the following bids which had been received for Single-Phase Padmount Transformers:

<u>Supplier</u>	<u>Total Price Incl. Taxes</u>	<u>Price Escalation</u>	<u>Delivery (days)</u>
Westinghouse Elec. Supply Co.	\$36,877.00	None	91
Dowzer Electric	38,769.50	None	140
Kuhlman Electric	39,368.40	BLS	140
Graybar Electric	40,887.80	None	112
A. B. Chance Co.	41,212.80	None	49
General Electric Supply Co.	41,483.10	None	112
R-T-E Corp.	41,525.50	None	82
Consolidated Electric	42,506.80	BLS	100

It was recommended by the City Manager that the award be made to Westinghouse Electric Supply Co. of Sacramento, the supplier submitting the low bid of \$36,877.

RESOLUTION NO. 4400

RESOLUTION AWARDING THE BID FOR SINGLE-PHASE PADMOUNT TRANSFORMERS TO WESTINGHOUSE ELECTRIC SUPPLY COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$36,877.

PLANS & SPECS FOR
WELL 9 PUMP AND
MOTOR APPROVED

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "WELL 9 PUMP AND MOTOR, 358 SHADY ACRES DRIVE" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

AGREEMENT FOR
SAFETY SERVICES WITH
S. J. CO. SAFETY
COUNCIL APPROVED

RES. NO. 4402

RESOLUTION NO. 4402

RESOLUTION APPROVING AGREEMENT FOR SAFETY SERVICES WITH SAN JOAQUIN COUNTY SAFETY COUNCIL FOR FISCAL YEAR COMMENCING JULY 1, 1977 AND ENDING JUNE 30, 1978.

Resolution No. 4402 was adopted by the City Council following review by the Council of the proposed agreement as submitted by the San Joaquin County Safety Council.

Minutes of October 2, 1977, continued
 CONSENT CALENDAR (Contd)
 LUCE/MILLER
 AGREEMENT APPRVD.

Council was apprised that the City has reached agreement with Grace Miller Luce and Mary Ellen Miller for the dedication of a permanent easement and also an 80-foot temporary construction easement. Under the proposed agreement the City would agree to pay a total of \$2,179 for the acquisition.

COUNCIL APPROVED AGREEMENT BETWEEN GRACE MILLER LUCE AND MARY ELLEN MILLER FOR THE DEDICATION OF A PERMANENT EASEMENT AND AN 80-FOOT TEMPORARY CONSTRUCTION EASEMENT WITH THE CITY AGREEING TO PAY A TOTAL OF \$2,179 FOR THE ACQUISITION.

REBECCA BANGS
 AGREEMENT APPRVD.

The City Council was informed that the City has reached agreement with Rebecca Bangs for the dedication of a permanent easement and also an 80 foot temporary construction easement. Under the proposed agreement the City would agree to pay Mrs. Bangs a total of \$1,312 for the acquisition.

COUNCIL APPROVED AGREEMENT WITH REBECCA BANGS FOR THE DEDICATION OF A PERMANENT EASEMENT AND AN 80-FOOT TEMPORARY CONSTRUCTION EASEMENT WITH THE CITY AGREEING TO PAY A TOTAL OF \$1,312 FOR THE ACQUISITION.

AWARD-SCARBOROUGH
 DRIVE STORM DRAIN

RES. NO. 4401

City Manager Graves presented the following bids which had been received for the Scarborough Drive Storm Drain:

<u>BIDDER</u>	<u>AMOUNT</u>
Walker Construction Co.	\$23,182.50
Teichert Construction	\$23,356.35
Valley Irrigation Co.	\$24,110.10
Warren Construction Co., Inc.	\$24,706.50
Claude C. Wood Co.	\$35,199.00
E. S. P.	\$35,728.00
E. P. Construction, Inc.	\$35,965.00

The City Manager recommended that the award be made to the low bidder, Walker Construction Co.

Following Council discussion on the matter, on motion of Councilman Ehrhardt, Pinkerton second, Council adopted Resolution No. 4401 awarding the contract for "Scarborough Drive Storm Drain, Century Boulevard to 380' N/o Chenin Blanc Drive" to Walker Construction Company, the low bidder, in the amount of \$23,182.50 and approved special allocation in the amount of \$27,000 authorizing a transfer of funds from the Master Drain General Account to the project account.

ELECTRIC RATE
SCHEDULE EM FOR
MOBILE HOME
PARKS

ORD. NO. 1121 RE-
INTRODUCED

Minutes of October 5, 1977, continued

Council was apprised that subsequent to the introduction of Ordinance No. 1121 at the Council meeting of September 7, 1977, two mobile home park owners have requested the Utility Department make a further study of the EM rate schedule. In responding to the request, Staff found that P.G.&E. rates for mobile home parks include a ten percent discount on electrical energy consumed under 240 kwh per month per wired trailer space. Since City rates for residential customers have a 300-kwh block rate, staff proposed a ten percent discount for this initial block, excluding the fuel cost adjustment.

Council was further advised that this proposal was not acceptable to the two mobile home park owners when first introduced to them, but additional meetings and discussion with the parties involved has apparently resulted in agreement with the provision that schedule EM be included in the next general rate review scheduled to be conducted by the Utility Department in the next few months.

Council discussion followed with questions regarding the matter being directed to Staff.

Mrs. Henry Gunsch, owner of the Two Palms Mobile Village, 1651 S. Cherokee Lane, Lodi addressed the Council requesting she be notified when rate changes occur.

Following additional discussion, Councilman Hughes moved for the re-introduction of Ordinance 1121 entitled "Ordinance Establishing Rates for the Sale of Electric Energy by the City of Lodi for Multi-Family Domestic Service" which sets for the following Schedule EM for Multi-Family Domestic Service:

APPLICABILITY: Multi-family domestic service is applicable to domestic lighting, heating, cooking and power supplied to mobile home parks through a master-meter and sub-metered to all individual mobile home units.

RATES:

	<u>Per Meter</u> <u>Per Month</u>
Customer Charge.....	\$1.65
Energy Charge(to be added to customer charge):	
First 300 kwhr per mobile home spaces wired for service, per kwhr.....	.0198
Over 300 kwhr per mobile home spaces wired for service, per kwhr.....	.0200

ELECTRIC RATE
SCHEDULE MOBILE
HOME PARKS
ORD. NO. 1121
INTRO. (Continued)

Minutes of October 5, 1977, continued

Fuel Cost Adjustment:

A fuel cost adjustment will be included in each bill for service. The adjustment amount shall be the product of the total kilowatt hours for which the bill is rendered times the adjustment amount per kilowatt hour. The adjustment amount per kilowatt hour will be calculated to recover fuel cost adjustment amounts charged to the City by the Pacific Gas and Electric Co. for bulk power.

SPECIAL CONDITION: It is the responsibility of the customer to notify the City Finance Department within 15 days following any change in the number of mobile home spaces wired for service.

The motion was seconded by Councilman Katzakian and carried by unanimous vote.

REQUEST FOR DATE CHANGE FOR "SOFT ROCK" CONCERT

Mr. Mark Baggett of the First American Music Corporation, addressed the Council relating the difficulties their Company had experienced in arranging bookings for the proposed October 2, 1977 "Soft Rock" concert and requested authorization from the Council to allow their Company to solicit bookings for the period of May 1 through June 30, 1978 for a "soft rock" concert to be held in the Lodi Stadium.

Council discussion followed with questions being directed to Mr. Baggett, the City Staff and the City Attorney.

On motion of Councilman Ehrhardt, Pinkerton second, Council approved the request of the First American Music Corporation to solicit bookings for the period of May 1 through June 30, 1978 for a "Soft Rock" concert to be held in the Lodi Stadium, with final approval of the actual concert date to be given by the City.

PLANS & SPECS FOR "RESTROOMS AT BECKMAN & TWIN OAKS PARKS & PLAYGROUND EQUIPMENT AT TWIN OAKS PARK" APPRVD.

Plans and specifications for "Restrooms at Beckman and Twin Oaks Parks and Playground Equipment at Twin Oaks Park" were presented for Council's scrutiny. Council was informed that the construction of the restrooms and playground equipment is part of the \$2.85 million Local Public Works Grant the City has received and that the project has received approval from the Economic Development Administration. In general the work consists of constructing two restrooms similar to the one at Vinewood Park except that the buildings will have shake roofs and other architectural features to make the buildings more aesthetically pleasing.

On motion of Councilman Pinkerton, Ehrhardt second, Council approved the plans and specifications for "Restrooms at Beckman and Twin Oaks Parks and Playground Equipment at Twin Oaks Park" and authorized the City Clerk to advertise for bids thereon.

Minutes of October 5, 1977, continued

TRANSPORTATION

Following introduction of Agenda Item "p" - "Progress Report - Transportation Plan", City Clerk Reimcke read a letter which had been received from Mr. John Daly, 549 Tara Place, Lodi proposing that the City get two V.W. buses, one to run on the east side of Lodi and the other on the west side. Mr. Daly further proposed that rides cost 50¢ each.

The City Manager then presented a proposal which had been received from JHK and Associates for their firm to proceed with the Implementation Phase of the Transportation Planning Project for the City of Lodi at a cost of \$3600.00.

Mr. John Daly, who was in the audience then came forward and addressed the Council concerning the suggestions contained in his letter which had been read earlier.

Representatives of the following agencies from this area addressed the City Council implying that the transportation plan presently under consideration by the Council may not be adequate and urged the City Council to consider including provisions which would adequately provide for the transportation needs of the handicapped who fall under the auspices of these agencies:

- a) Margaret Griffin, Staff member of the State Department of Rehabilitation in Stockton.
- b) Charles O'Neal, Program Development Specialist, Valley Mountain Regional Center
- c) Charlotte Humphrey, San Joaquin County Area Agency on Aging

Council discussion followed with questions regarding Government funding which is provided the various agencies for transportation needs and the possible duplication of effort in this area.

Following additional discussion, Council on motion of Councilman Hughes, Ehrhardt second, ratified the proposal received from JHK and Associates for their firm to proceed with the Implementation Phase of the Transportation Planning Project for the City of Lodi at a cost of \$3600.00, and authorized the City Manager to execute Consultant Agreement with JHK & Associates for City of Lodi Transportation Planning Project Amendment No. 1 to the Agreement dated July 15, 1976.

REVIEW OF SECTION 27-19(e) OF CITY CODE

City Manager Glaves introduced Agenda Item "q" - "Review of Section 27-19(e) of the Code of the City of Lodi entitled "Pretexts". Additional background information was given to the Council in a written report prepared by City Attorney Mullien.

City Clerk Reimcke presented the following correspondence which had been received pertaining to this matter:

Minutes of October 5, 1977, continued

REVIEW OF
SECTION 27-19(e)
OF CITY CODE
(Continued)

a) Letter from Attorney Gene G. Walton, 318 West Pine Street, Lodi representing Mrs. Imelda Burke of 340 S. Lower Sacramento Road, Lodi advising that Mrs. Burke was unable to be at this Council meeting and urging that this hearing be continued to a date which would be compatible to all.

b) Letter from Mr. Elmer J. Altnow, 2411 Diablo Court, Lodi requesting that this section of the City Code not be changed and listing the reasons for his position on this matter.

The following persons in the audience addressed the Council urging that this section not be deleted from the City Code:

- a) Eugene Seibel, 735 Louie Ave., Lodi
- b) Mr. William Gretsinger, 904 W. Turner Road, Lodi
- c) Mr. Lloyd Perrin, 2370 Cabrillo Circle, Lodi
- d) Mrs. Beryl Georguson, 2223 W. Cochran Road, Lodi
- e) Mrs. Janet Berry, 2421 Diablo Court, Lodi

Lengthy Council discussion followed on the subject.

A motion by Councilman Hughes to rescind Section 27-19(e) of the Code of the City of Lodi entitled "Protests", which was seconded by Councilman Katzakian, failed to pass by the following vote:

Ayes: Councilmen - Hughes and Katzakian

Noes: Councilmen - Ehrhardt, Pinkerton and Katnich

Absent: Councilmen - None

POLICE MANPOWER
REPORT

A staff report addressing the issue of staffing of the Patrol Division of the Lodi Police Department was presented for Council's perusal.

Lengthy Council discussion followed with questions concerning the matter being posed by Council to City Manager Graves and to Assistant City Manager Glenn.

The City Manager was then directed to meet with the Chief of Police to determine what staffing criteria would adequately serve the City; what Anti-recession funding would be available to meet the costs if additional Patrol Division personnel were hired; and to report back to the City Council on the findings at the regular Council meeting of October 19, 1977.

Minutes of October 5, 1977, continued

REFUND OF
ELECTRIC FUNDS
RECOVERED FROM
P.G.&E. RATE
CASES

The following information was provided by Staff to assist the City Council in determining refunds of electric funds recovered from P.G.&E. Rate Cases:

1. The City received a refund from P.G.&E. in January 1977, amounting to \$136,359. This refund was applicable as follows:

Fuel	\$ 29,079
Base Rate	37,121
Interest	<u>4,159</u>
	\$136,359

2. A refund to City customers was made in February for fuel cost only, amounting to \$102,968, as directed by the City Council. No refund of the base rate could be made, because the agreement between the City and P.G.&E. was not yet accepted by the Federal Power Commission.

3. Starting on March 1, the City calculated the fuel adjustment cost based on the settlement agreement rate and, consequently, saved customers approximately \$99,146 through June 30. Through September 30, an additional \$101,004 was saved, and it is expected that \$79,860 will be saved in the last quarter of 1977.

4. On August 9, 1977, a check in the amount of \$462,942.69 was received from P.G.&E. as approved by the F.P.C. in the settlement of three rate cases.

<u>Period</u>	<u>Case No.</u>	<u>Refund</u>
5/1/73 - 8/23/74	E-7777	---
8/24/74- 10/25/76	E-8928	\$337,306
10/26/76- 12/31/76	ER 76-811	--- Refunded in January
5/1/73 - 1/1/76	Fuel Adj.	69,490
1/2/76 - 12/31/76	Fuel Adj.	--- Refunded in January
	Interest	<u>56,820</u>
		\$463,616
Less amount withheld in Jan.		<u>673</u>
		\$462,943

5. The settlement agreement with P.G.&E. resulted in lower payments to P.G.&E. for the first six months of 1977 amounting to \$49,443. Additional savings for the remainder of 1977 are estimated to be \$74,911.

6. Lodi's share of legal and engineering costs, paid through the Utility Department operating budget, to protest the three rate cases was \$156,918.

7. For the past five years, due to rapidly escalating fuel costs, \$104,946 has been undercollected in the fuel cost adjustment. This figure makes no allowance for uncollectible accounts which is estimated to be \$26,287.

Minutes of October 5, 1977, continued

REFUND OF
ELECTRIC FUNDS
RECOVERED FROM
P.G.&E. RATE
CASES (Continued)

8. During the past five years, electric rates to Lodi customers have been increased three times - each time to offset the increase in purchase power cost only. There have been no increases to offset other inflationary costs.

Following lengthy Council discussion with questions being directed to Staff on the matter, Council, on motion of Councilman Hughes, Ehrhardt second, determined refunds of electric funds recovered from P.G.&E. rate cases as follows:

- a) Return to Electrical Reserves - Legal and Engineering Costs - \$156,918.00 and Under-collected Fuel Adjustment Costs - \$104,946.00.
- b) Rebate to customers - \$157,475.00
- c) Return balance of approximately \$200,000.00 to General Fund.

APPROVAL OF
WESTWIND
SUBDIVISION, ROGET
ET AL & COMMUNITY
HOSPITAL SUBDIVI-
SION DOCUMENTS

City Manager Graves presented for Council approval the final map, the improvement plans, and the improvement securities for Westwind Subdivision which contains five acres and lies between Cochran Road and Vine Street west of Sunwest, Unit No. 2 and is zoned R-1. The developers have completed all the requirements specified in the approval of the tentative and parcel maps. Part of the requirements for the development of Westwind Subdivision was that Development Agreements be signed with the developers of the parcel adjacent to the west side of Westwind between Cochran Road and Vine Street and the Community Hospital parcel located east of the Community Hospital at the corner of Community Drive and Vine Street. These parcels are both zoned C-P.

Councilman Katzakian asked to abstain from discussion and voting on this matter because of his association with Aladdin Real Estate, Inc.

Following discussion, with questions regarding the subject being directed to Staff, Council, on motion of Councilman Ehrhardt, Pinkerton second approved the final map, the improvement plans, and the improvement securities, and directed the City Manager to sign the Subdivision Agreement, Development Agreements, Sanitary Sewer and Water Main Extension Reimbursement Agreements, and the Electrical Utility Agreements on behalf of the City by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Pinkerton and Katrich

Noes: Councilman - None

Abstain: Councilmen - Katzakian

Absent: Councilmen - None

BECKMAN RANCH,
UNIT NO. 1
APPROVED

Minutes of October 5, 1977, continued

The City Manager presented for Council's conditional approval the final map, the improvement plans, and the improvement securities for Tract No. 1337 - Beckman Ranch, Unit No. 1 advising that this is a subdivision of 18.1 acres lying north of Century Boulevard between Eckay High School and Hutchins Street. This subdivision is zoned multi-family and residential and contains single-family and duplex lots. The developers, Aladdin Real Estate, Inc. have completed all the requirements specified by the Planning Commission in the approval of the tentative map on June 13, 1977. The City Manager requested that the approval be conditioned upon the receipt of a current title report and an approved Final Map from San Joaquin County.

Councilman Katzakian asked to abstain from discussion and voting on this matter because of his affiliation with Aladdin Real Estate, Inc.

Council discussion followed with questions being directed to Staff.

On motion of Mayor Katnich, Ehrhardt second, Council conditionally approved the final map, the improvement plans, and the improvement securities for Beckman Ranch, Unit No. 1, subject to receiving a current title report and an approved Final Map from San Joaquin County and authorized the City Manager to sign the Subdivision Agreement and the Electrical Utility Agreement on behalf of the City when the conditions have been met by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Pinkerton and Katnich

Noes: Councilmen - None

Abstain: Councilmen - Katzakian

Absent: Councilmen - None

REVIEW OF
CAPITAL IMPROVE-
MENT PROGRAM
1977-78 CONTINUED

Following Council's review of the "Water System" portion of the proposed Capital Improvement Program, 1977-78, Mayor Katnich, with Council's tacit concurrence, deferred action on the proposed Capital Improvement Program to the regular Council meeting of October 19, 1977.

ITEMS OF INTEREST

Councilman Ehrhardt updated the Council on the North San Joaquin Valley Health Systems Agency.

Mayor Katnich reported on Solid Waste meetings that he and Jack Ronsko had attended. Council was advised that material on this will be sent out shortly.

Councilman Katzakian reminded the Council of the Cities and County meeting to be held Thursday, October 13, 1977 at the Prime Rib Inn.

City Manager Graves reminded the Council that Senator Garamendi will be meeting with the Council at the Informal Informational Meeting of Tuesday, October 11, 1977.

Minutes of October 5, 1977, continued

ADJOURNMENT

There being no further business to come before the Council, Mayor Katnich adjourned the meeting at approximately 12:10 a.m. on motion of Councilman Ehrhardt, Pinkerton second.

Attest:


ALICE M. REIMCHE
CITY CLERK